

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. After amending the claims as set forth above, claims 1-13 and 15-17 are now pending in this application.

Applicant wishes to thank the Examiner for the careful consideration given to the claims.

Abstract

An objection has been made with regard to the Abstract because it was not on a separate sheet. The Abstract has been amended. For at least this reason, favorable reconsideration of the objection is respectfully requested.

Rejection of claims 5-6 based on 35 U.S.C. 112

Claims 5-6 are rejected under 35 U.S.C. 112, second paragraph because of the phrase “wherein the closing seam has during the welding, soldering, double-bend joining or adhesive bonding and/or after the joining, a thickness corresponding to the thickness of the closed basic member” in claim 5, and the phrase “wherein the thickness of the closing seam after the joining is at most ten times the thickness of the closed basic member” in claim 6. Claims 5 and 6 have been amended to revise these phrases. For at least these reasons, favorable reconsideration of the rejection is respectfully requested.

Rejection of claim 14 based on 35 U.S.C. 112 and 35 U.S.C. 101

Claim 14 is rejected under 35 U.S.C. 112, second paragraph, and 35 U.S.C. 101. Claim 14 has been canceled, which renders the rejections of this claim moot. For at least this reason, favorable reconsideration of the rejection is respectfully requested.

Rejection of claims 1-13 based on Rohrmoser

Claims 1-5 and 7-13 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,690,349 (“Rohrmoser”). Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rohrmoser. For at least the following reasons, these rejections are traversed.

Claim 1 (as amended) recites, among other things, a shell-shaped basic member and at least one core element. The basic member has at least one closing seam and is connected to

the at least one core element by at least one tolerance-compensating intermediate layer. The basic member is metal and the at least one core element is configured to be an air stream conducting member for a vehicle or an aircraft. Claim 12 recites similar and/or analogous features. Rohrmoser does not teach or suggest this combination of features.

For instance, Rohrmoser merely discloses a ski, and does not disclose at least one core element that is configured to be an air stream conducting member for a vehicle or an aircraft. Furthermore, Rohrmohor does not disclose a basic member that is metal. Thus, Rohrmoser does not teach or suggest all the features of claim 1 or claim 12. For at least these reasons, claims 1 and 12 are allowable over the prior art.

Claims 2-11 and 13 depend from and contain all the features of claim 1 or claim 12 and are allowable for the same reasons as claim 1 or 12, without regard to the further patentable features contained therein.

For at least these reasons, favorable reconsideration of the rejections is respectfully requested.

Allowability of claims 15-17

Claim 15 recites, among other things, a vehicle comprising a component. The component comprises a shell-shaped basic member and at least one core element. The basic member has at least one closing seam and is connected to the at least one core element by at least one tolerance-compensating intermediate layer. The basic member is metal, and the at least one core element is an air stream conducting member for the vehicle. Rohrmoser does not teach or suggest this combination of features. As previously stated, Rohrmoser merely discloses a ski, and does not disclose at least one core element that is an air stream conducting member for a vehicle. Furthermore, Rohrmohor does not disclose a basic member that is metal. Thus, Rohrmoser does not teach or suggest all the features of claim 15. Claims 16-17 depend from and contain all the features of claim 15 and are allowable for the same reasons as claim 15, without regard to the further patentable features contained therein. For at least these reasons, allowance of claims 15-17 is respectfully requested.

Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.


The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

SEP 25 2008

Date _____

By 

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